

## Message Text

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11

ORIGIN EA-06

INFO OCT-01 SS-14 ISO-00 L-01 IO-03 H-01 SCS-01 SCA-01

IGA-01 ITFE-05 INR-05 CIAE-00 DODE-00 PM-03 SP-02

NSC-05 NSCE-00 /049 R

66620

DRAFTED BY:EA/LC:BSKIRKPATRICK:DTM

APPROVED BY:EA/LC:JDROSENTHAL

L/C:FKWIATEK

IFD/OIA:DSTEBBING

H:WRICHARDSON (INFO)

AID/GC/EA:HMORRIS (INFO)

AID/GC/ENF:ILUDACER (INFO)

SCS:MR LANE (INFO)

----- 038850

R 021635Z JUL 75

FM SECSTATE WASHDC

TO AMCONSUL HONG KONG

CINCPACREP GUAM

INFO AMEMBASSY SINGAPORE

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LIMDIS

E.O. 1652:/A

TAGS: BGEN, CPRS, CB

SUBJECT: CAMBODIA - PROPERTY LOSS CLAIM: SOUTHEAST ASIA

AIR TRANSPORT, INC.

HONG KONG FOR RCMO VERNON PETERSEN

GUAM FOR NORMAN SWEET, SENIOR CIVIL COORDINATOR, IATF

1. MR. CECIL E. WROTEN, VICE PRESIDENT OF SOUTHEAST ASIA  
AIR TRANSPORT, HAS INFORMED THE OFFICE OF LAOS/CAMBODIA  
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AFFAIRS THAT HE INTENDS TO TAKE LEGAL ACTION AGAINST THE  
UNITED STATES GOVERNMENT TO RECOVER AN ESTIMATED LOSS OF  
254 THOUSAND, SIX HUNDRED SEVENTY-FIVE DOLLARS FOR AIRCRAFT,  
RELATED EQUIPMENT AND PERSONAL EFFECTS WHICH WERE LEFT BE-

HIND IN CAMBODIA ABOUT THE TIME OF THE EVACUATION OF THE US MISSION FROM CAMBODIA. MR. WROTEN CLAIMS THAT THE MISSION DECLINED TO ASSIST HIM TO OBTAIN FUEL AND A FLIGHT CLEARANCE ON MAY 9 WHEN HE WAS ATTEMPTING TO MOVE HIS AIRCRAFT AND EQUIPMENT OUT OF THE COUNTRY. HE NAMED A "MR. PETERSEN" AT THE EMBASSY AS THE PERSON WHO MADE THIS DECISION. A DEPARTMENT OFFICER TOLD MR. WROTEN THAT WE ASSUME THAT IF MR. PETERSEN DECLINED TO ASSIST HIM OBTAIN A FLIGHT CLEARANCE FROM THE CAMBODIAN AUTHORITIES OR TO ISSUE AN EMBASSY CLEARANCE TO BE PRESENTED TO CAMBODIAN AUTHORITIES,

THAT SUCH A DECISION WOULD APPARENTLY HAVE BEEN BASED ON THE POSSIBLE EFFECT THAT THE MOVEMENT OF A LARGE NUMBER OF AIRCRAFT OUT OF THE COUNTRY WOULD HAVE ON LOCAL MORALE; THAT IS, IT MIGHT HAVE CREATED A PANIC WHICH COULD HAVE ENDANGERED THE SUCCESSFUL EVACUATION OF AMERICAN CITIZENS REMAINING IN THE COUNTRY. MR. WROTEN DID NOT CONTEST THIS LOGIC BUT BELIEVES THAT THE USG SHOULD REIMBURSE HIM FOR HIS AIRCRAFT AND EQUIPMENT BECAUSE IT WAS LEFT BEHIND AS A RESULT OF A USG DECISION.

2. OUR EMBASSY IN SINGAPORE HAS RECEIVED A LETTER FROM ROBERT M. FERGUSON, PRESIDENT OF SEAT, CLAIMING A LOSS OF TWO MILLION, SEVEN HUNDRED NINETY THREE THOUSAND DOLLARS IN AIRCRAFT AND RELATED EQUIPMENT PLUS FORTY-THREE THOUSAND DOLLARS IN PERSONAL EFFECTS, ALL APPARENTLY INCLUDING MR. WROTEN'S CLAIM. MR. WROTEN STATED THAT THEY HAVE NOT RPT NOT COORDINATED THEIR CLAIMS. HE ALSO STATES THAT SOME ITEMS BELONG TO SEAT AND OTHERS, PARTICULARLY SPARE PARTS, TO HIM AND MR. FERGUSON PERSONALLY. MR. FERGUSON'S LETTER ALSO REQUESTED REIMBURSEMENT FROM THE US GOVERNMENT BUT DID NOT MENTION DENIAL OF A FLIGHT CLEARANCE BY THE EMBASSY.

3. WE WOULD APPRECIATE ADDRESSEES COMMENTS ON THIS PROSPECTIVE CLAIM FOCUSING PARTICULARLY ON:

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A. NOTIFICATION OF SEAT THAT IT SHOULD LEAVE CAMBODIA. SEAT'S SUBSEQUENT ACTIONS. SEAT'S ROLE IN MISSION EVACUATION PLANS.

B. SEAT'S REQUEST FOR ASSISTANCE TO OBTAIN FUEL. EMBASSY'S RESPONSE.

C. SEAT'S REQUEST FOR ASSISTANCE TO OBTAIN FLIGHT CLEARANCE TO INCLUDE BACKGROUND ON GENERAL CONDITIONS OF OBTAINING FLIGHT CLEARANCES, ROLE OF US EMBASSY AND GKR IN SUCH CLEARANCES AND RESPONSE.

D. CHARACTERISTICS OF SEAT OPERATIONS AND PERSONNEL THAT WOULD HAVE A BEARING ON THIS CLAIM; FOR EXAMPLE, ACCORDING TO MR. WROTEN, SEAT CONSTITUTED OVER 50 PERCENT OF AIR CAMBODGE ASSETS AND THE FAILURE OF WROTEN AND FERGUSON TO COORDINATE THEIR CLAIMS REGARDING EITHER GROUNDS OR AMOUNT.

3. REQUEST YOUR COMMENTS BE AS COMPLETE AS POSSIBLE. WE DO NOT KNOW IF MR. WROTEN WILL CARRY THROUGH HIS INTENTION TO TAKE LEGAL ACTION BUT WISH TO HAVE THE FULLEST POSSIBLE INFORMATION AVAILABLE. INGERSOLL

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<< END OF DOCUMENT >>

## Message Attributes

**Automatic Decaptioning:** Z  
**Capture Date:** 26 AUG 1999  
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**Current Classification:** UNCLASSIFIED  
**Concepts:** AIR TRANSPORTATION, PROPERTY WAR CLAIMS, FLIGHT CLEARANCES  
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**Previous Handling Restrictions:** LIMDIS  
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